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UNCLAS ALMATY 004175

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STATE FOR EUR/CACEN (JMUDGE), EUR/PPD (JBASEDOW), EUR/ACE
(ESMITH/JMCKANE), DRL/PHD (CKUCHTA-HELBLING)

E.O. 12958: N/A

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SUBJECT: REPORTING ON KAZAKHSTAN'S PRESIDENTIAL CAMPAIGNS -
BETWEEN THE SPIRIT AND LETTER OF THE LAW

Ref: A) Almaty 4074 B) Almaty 3924

11. (SBU) SUMMARY: According to a CIS elections monitoring representative, media coverage of presidential campaigns in the first two weeks of November "did not quite correspond" to legal and constitutional norms. State media are honoring the letter, if not the spirit, of the information ministry's demand that all candidates get equal coverage. Although For a Just Kazakhstan (FJK) candidate Zharmakhan Tuyakbay received more coverage the first week of campaigning than any other candidate (ref A), the television reports were either uninformative or depicted contentious situations that FJK claims were contrived by unknown provocateurs. The prosecutor ordered the confiscation of 100,000 copies of the opposition paper Zhuma Times in Almaty, and in Uralsk rail freight handlers destroyed 20,000 opposition papers. Opposition editors and media advocates sent an appeal on November 12 to the European Parliament asking for its support. END SUMMARY.

CIS-EMO Sees Pro-Nazarbayev Bias, Accreditation Revoked

12. (U) At a press conference November 9, Stepan Novosel'chan, observation coordinator for the Commonwealth of Independent States-Election Monitoring Organization (CIS-EMO), said campaign practices for October 28-November 5 "did not quite correspond to election legislation and constitutional norms." He cited Tuyakbay campaign posters being displayed randomly on unauthorized sites like telephone and power poles, while Nazarbayev campaign posters dominated the billboards. "I don't think that reflects the spirit of equal campaigning, when all billboards display the portrait of one candidate, in particular, Nazarbayev." He also said more television reporting was devoted to Nazarbayev, in uniformly positive reports, while reporting on other candidates was scarce and tended to be critical.

13. (U) On November 18 the Central Election Commission (CEC) cancelled CIS-EMO's observer accreditation because it is not an international organization, a violation of the electoral code. Marina Bogdanovich, the head of the CIS-EMO mission Kazakhstan, told journalists the move followed the mission's interim assessment, which "contained rather tough accusations regarding the use of administrative resources and violations of the electoral process." The mission sent a letter November 21 to the president asking him to intervene to reverse the decision. Bogdanovich said the organization will appeal to the Supreme Court of Kazakhstan if no response is received within a week.

14. (U) A comparison of state television coverage of the For a Just Kazakhstan (FJK) candidate Zharmakhan Tuyakbay and President Nazarbayev in the first two weeks of November corroborates Novosel'chan's assessment. Reports on FJK on Kazakhstan 1, official successor to the Soviet-era state television network, and pro-presidential Khabar, which has the largest audience of Kazakhstani channels, were consistently negative. Both often depicted contentious situations that FJK claims were contrived by unknown provocateurs. Some reports were simply uninformative - meeting the letter, if not the spirit, of the information ministry's demand that all candidates get equal coverage on state media. The reports often showed voters criticizing Tuyakbay and FJK activists, but little or no on-camera quotes from Tuyakbay explaining his positions on issues or proposals.

Bland Reports on FJK Ignore Campaign Issues

15. (U) Both Khabar and Kazakhstan 1 on November 4 reported on Tuyakbay's meetings with voters in Kostanay, Karaganda, Saran, and Atyrau and listed topics of discussion: employment, demographics, rule of law, social problems, tax policy and agriculture, without providing any context for his views. There was no footage of him interacting with voters, explaining his ideas, or any quotes from his press

conferences. On November 7, Tuyakbay held a press conference during which he publicly revealed his annual tax payment and property holdings. He challenged President

Nazarbayev similarly to disclose his tax payments and property holdings and also to participate in a televised debate. The report on Kazakhstan 1 showed Tuyakbay at the press conference, but the voice-over mentioned only that Tuyakbay had met with voters in Almaty, and had briefly informed them about his election platform and answered questions.

Tuyakbay "Fights" With Voters . . .

16. (U) During the week of November 6, Khabar and Kazakhstan 1 broadcast a series of reports on Tuyakbay's campaign, none of which highlighted the issues or showed him in a positive light. One report showed Mukhtar Mukhambetzhon, the head of the foundation "For Unity of the Country," threatening to sue Tuyakbay proxy Serikbolsyn Abdildin for calling Mukhambetzhon a provocateur. In another report, Marat Mukhamedzhanov, director of the Semipalatinsk pedagogical college, said he intended to sue Tolen Tokhtasynov, the head of Tuyakbay's campaign office, for allegedly cursing at him during a public event. Kazakhstan 1 reported November 23 that the municipal court of Semipalatinsk fined Tokhtasynov 48,550 tenge (\$360), and ordered him to pay Mukhamedzhanov 100,000 tenge (\$750) in moral damages. Tokhtasynov said publicly that the videotape with the profanity had been altered and that he had not insulted the plaintiff.

17. (U) A November 7 Khabar report of a Tuyakbay meeting with voters in Almaty illustrates how coverage was distorted to discredit the candidate with television viewers. The first segment showed one person asleep and other people looking bored. In the next segment, a crowd of participants and journalists were shown trying to enter a movie theater, but guards blocked the door and said they were carrying out orders from campaign organizers. Next a woman was shown confronting Tuyakbay: "You held a high position of authority and didn't manage to accomplish anything. Does this mean only the president can get something done? Does this mean that anybody you appoint will compete with you for power? Won't this lead to instability in Kazakhstan? We have peace now, and it means a lot." Khabar showed part of Tuyakbay's answer: "It doesn't mean instability for the people, but for those in positions of authority. We don't need that kind of stability." An emboff attended the meeting and said Tuyakbay's next statement was omitted: "We still remember the 1930s, and we have no desire to return to those days." FJK representatives claim that a group of people came to Tuyakbay's November 7 meeting, pretended to sleep, then left after the Khabar crew had filmed them sleeping. As for the guards shown blocking the entry of voters and journalists, Svoboda Slova (Freedom of Speech) correspondent Saya Issa told emboff they were not Tuyakbay's security guards, whom he knew after traveling with the campaign for the previous 10 days.

. . . While Nazarbayev "Builds the Future"

18. (U) Khabar, Kazakhstan 1, and centrist, independently owned Channel 31 reported in detail November 7 for several minutes on the president's visits in Almaty to the Institute of Seismology and a subway site under construction. At the Seismology Institute, the president said he wanted to understand how earthquake stations were equipped to determine what must be done in the future to reinforce buildings and help authorities respond to emergency situations. At the subway site, the president talked about his plans to ease traffic congestion in Almaty by spending 30 billion tenge (about \$224 million) to complete seven subway stations over the next three years.

More Opposition Newspapers Confiscated

19. (SBU) The opposition website www.kub.kz reported that on October 26, a cordon of police surrounded the home of FJK activist Garifula Gumirov. The police confiscated 12,000 copies of the opposition papers Pravda Kazakhstanana, Svoboda Slova, Ak-Zhol, and Epokha, and left, according to the

website. In another incident, Almaty's municipal procurator released a statement about the confiscation of Zhuma Times issue #44 on November 3 because it contained "false information defaming the honor and dignity of a presidential candidate in order to influence the election." An embassy source said a total of 100,000 copies were seized. The procurator warned that law enforcement bodies

would in the future employ all measures allowed under the law to prevent similar distribution of false information, including halting publication and prosecuting those responsible. Galina Dyrkina, editor-in-chief of the banned opposition newspaper Respublika, described another case for Helsinki Commission Chief of Staff Sean Woo in a meeting arranged by the embassy press office November 18. She said Tuyakbay's campaign headquarters paid to ship 20,000 opposition newspapers to Uralsk via rail November 13. When the train arrived, a supervisor ordered freight handlers to destroy all the newspapers. When FJK members later questioned the supervisor about directing his employees to destroy the papers, he denied having told them to do so.

Opposition Media Fight Back

10. (U) On October 27, the opposition newspaper Soz-Respublika issued a front page statement that it would not participate in the electoral campaigns on behalf of any candidates. "We doubt that this election will be fair, free, or just. The authorities that destroy the opposition press, harass members of opposition parties, send crowds of police against unarmed people, and imprison boys and girls who dare to announce their disagreement with state politics will never conduct fair elections!" On November 15, a group of 54 Kazakhstani opposition journalists and free speech advocates issued a public appeal to the European Parliament asking for its support given "the disastrous situation facing the independent press on the eve of the presidential elections." The appeal cites the illegal confiscation of newspapers, the closure of newspapers without trial, readers of opposition newspapers being harassed by law enforcement organs, refusal by the information ministry to register new independent or opposition media, government regulation of Internet domain names with the intent to prevent independent media from publishing online, and the draft media law that will make registration of new media more difficult.

Mixed Reaction to Presidential Debate

11. (U) On November 17, Yerasyly Abylkasymov, Alikhan Baymenov, Mels Yeleusizov and Zharmakhan Tuyakbay participated in a live hour-long debate televised on Khabar. Central Elections Commission Chairman Onalsyn Zhumabekov said government funds would cover the cost of air time. Tuyakbay's headquarters stated publicly that the event was a good opportunity for the candidates to talk about their programs. In contrast, the Ak Zhol-affiliated newspaper Zhas Alash listed several criticisms of the debate in a November 19 article. The paper noted there was no advance publicity, so most people did not know about it; the time slot of 6 p.m. was calculated to coincide with the evening commuter rush hour, when most people would be en route home from their jobs; the electricity went out in different regions of Almaty; the debate lasted only one hour, instead of the hour and a half that had been previously announced. At the meeting with Woo independent opposition journalist Sergey Duvanov also raised the issue of the timing of the debate and his suspicions about the power outage, which also occurred in Karaganda at the same time.

12. (SBU) Regarding such charges, the 6 p.m. timeslot was arguably inconvenient for commuters, but proving the electricity was sabotaged is more problematic. A power failure also occurred in February during the president's annual address; unreliable electricity affects those in power and political aspirants with equal opportunity. As for reducing the amount of time for the debate, Zhumabekov's explanation was plausible: the CEC anticipated enough time for five candidates to debate and Nazarbayev's absence meant less time was needed. In

Kazakhstan's evolving political process, inconvenience and conspiracy converge when the president's loyalists in the media intervene to skew the reporting. Yet the government is taking steps to democratize and regularize the campaign by monitoring media coverage to ensure equitable treatment of all candidates (see reftels) and by buying airtime for a televised debate on the most popular Kazakhstani TV channel.

13. Dushanbe minimize considered.

Ordway